

BEFORE THE ARIZONA CORPORATION COMMISSION

WILLIAM A. MUNDELL
COMMISSIONER
JIM IRVIN
COMMISSIONER
MARC SPITZER
COMMISSIONER

IN THE MATTER OF U S WEST
COMMUNICATIONS, INC.'S COMPLIANCE
WITH § 271 OF THE
TELECOMMUNICATIONS ACT OF 1996.

DOCKET NO. T-00000A-97-0238

**QWEST'S RESPONSE TO AT&T'S COMMENTS ON HEWLETT PACKARD'S
RECOMMENDATION ON PO-19B IMPASSE ISSUE AND RECOMMENDATION
REGARDING SATE PRODUCTS IMPASSE ISSUE**

Qwest Corporation ("Qwest") respectfully submits this response to AT&T's Comments on Hewlett Packard's Recommendation on PO-19B Impasse Issue and Recommendation regarding SATE Products Impasse Issue ("AT&T's Comments").

I. Introduction and Summary

It appears that some of AT&T's Comments regarding Hewlett Packard's ("HP") recommendations regarding the two Stand Alone Test Environment ("SATE") impasse issues were based on factual misunderstandings and, in some instances, mischaracterization of the facts and the law. Qwest addresses these issues below. In addition, Qwest offers proposals to resolve both impasse issues.

II. PO-19B Impasse

AT&T misunderstands HP's math in its proposal for the PO-19B product/activity mix. AT&T indicated in the TAG meeting on September 10, 2002, that it intended to amend its

comments on this topic; however, Qwest has not received any amendment. Currently, Qwest utilizes the product/activity combinations that account for 95% of the CLEC commercial volume. For the July 2002 PID execution, this translated into 16 out of 55 product/activity combinations.

HP has recommended that Qwest continue to establish the 95% volume threshold, but then allow the CLECs to prioritize product/activities that fall below the 95% *volume* threshold, as long as the total *number* of product/activity combinations does not exceed 50% of all product/activity combinations. For example, the current total of product/activity combinations in production is 55. In the July 2002 PID execution, the 95% volume mix concluded that Qwest had to execute 16 of those 55 product/activity combinations. In HP's proposal, Qwest would be required to execute up to 27 of those 55 product/activity combinations, regardless of CLEC planned or actual usage. Qwest's current execution is based on volume considerations; HP's proposal is based on both volumes and actual number of product/activity combinations.

There is no basis for AT&T's suggestion that Qwest's unreasonable stubbornness prevented the TAG from reaching agreement regarding this issue. Qwest fully explained its legitimate concerns regarding the CLEC proposals relating to PO-19B. Qwest also has concerns regarding HP's proposal. HP's proposal is not acceptable to Qwest because it allows for the CLECs to prioritize product/activity combinations for PO-19B that have little or no commercial volume. Qwest has fully explained its concerns regarding this kind of treatment for the low-end 5% volume of transactions in Qwest's Position regarding PO-19B Impasse Issue.

HP's proposal appears to be designed to incorporate additional transactions in PO-19B based on the volume of those transactions. To address this issue, consistent with its ongoing efforts to reach collaborative agreement on as many issues as possible, Qwest proposes an

alternative that focuses on volume and allows the CLECs to have product/activities that represent the lower 5%. Qwest proposes establishing a volume threshold that considers all product/activity combinations for which 100 or greater transactions occur during the prior twelve (12) months. This approach ensures that the product/activities that are being used by the CLECs (and are available in SATE) are included in the PID execution. Like the current approach for PO-19B, this threshold will be determined by querying the production system to establish the most current 12-month's volumes, and will be published to the CLEC community with the draft disclosure documents 73 days prior to the next major IMA release.

If Qwest's compromise were accepted today, using the product/activity mix published to the CLECs on September 6, 2002, this approach would increase the number of product/activities being executed for the IMA EDI Release 11.0 execution from 17 out of 55 to 31 out of 55, which translates into 99% of the total volume of EDI transactions in production.

III. SATE Impasse

A. Qwest's Proposal for Resolution

Qwest believes that a volume-based approach can also resolve the impasse issue regarding the addition to SATE of those products that currently exist in production but are not currently included in SATE.¹ Similar to its PO-19B compromise proposal, Qwest proposes that those products can be implemented into SATE after the volume of CLEC use for each of the relevant product(s) reaches 100 transactions during the prior twelve (12) month period. Under this proposal, Qwest will run a production query -- like the one it proposes to determine what product/activity combinations should be in the upcoming execution of PO-19B -- to determine

¹ This proposal applies only to those products involved in the current impasse -- i.e., those products that currently exist in production but are not currently included in SATE. Going forward, the CMP provides that IMA changes for a particular release will be included in the test environment release that is made available thirty (30) days prior to the IMA release production date, and will not be subject to prioritization.

whether any of the products not currently in SATE reflect EDI volume activity of 100 transactions or more in production. The implementation of those products into SATE will then be scheduled for the upcoming major SATE release if feasible; or if not feasible, then no later than the next major SATE release. This approach ensures that there are volume-based and market demand reasons for including the products into SATE that the CLECs argue should be arbitrarily included.

B. Qwest's Responses to Specific AT&T Comments

AT&T criticizes HP for "ignoring" the FCC's mirroring of production requirement. Ironically, however, it is AT&T that has consistently refused to acknowledge the FCC's pronouncements explaining the mirroring requirement. As Qwest fully explained in Qwest's Position regarding the SATE CR Impasse, the FCC's "mirroring" requirement simply does not obligate Qwest to add all production-supported products to SATE. In fact, the FCC expressly rejected AT&T's claim that BellSouth's CAVE test scenarios did not "completely mirror what individual carriers typically order in the production environment,"² acknowledging that an ILEC's test environment is not required to exactly match the types of products reflected in CLEC production orders.³

AT&T has consistently failed to address the FCC's clear holding on this issue. Instead of supporting its interpretation of the FCC's standard with relevant cites to specific authority showing application of the standard consistent with its interpretation, AT&T simply states over and over again that the FCC requires the test environment to mirror production. AT&T's mantra

² *Joint Application by BellSouth Corporation, BellSouth Telecommunications, Inc., And BellSouth Long Distance, Inc. for Provision of In-Region, InterLATA Services In Georgia and Louisiana*, CC Docket No. 02-35, FCC 02-147, Memorandum Opinion and Order (rel. May 15, 2002) ("BellSouth GA/LA Order"), ¶ 189.

³ BellSouth GA/LA Order, ¶ 189 (recognizing that an ILEC's test environment is not required to perfectly match its production environment by noting that CLECs could acquire additional test orders "to more closely match a competitive LEC's production orders").

ignores the FCC's clear statement that the mirroring production requirement *does not* mean that the environments must be identical.⁴ AT&T not only ignores the FCC's application of the mirroring standard, but also included a misleading cite to the Texas 271 Order in its Comments to support the same claim the FCC has already rejected -- that the mirroring standard requires Qwest to add products to SATE. AT&T states as follows: "Qwest chose which products would and would not be implemented in the SATE, knowing full well that it was *omitting products in spite of clear FCC requirements to the contrary*."⁵ The Texas 271 Order does not support AT&T's proposition that omitting products violates any FCC requirement. As noted above, the FCC specifically rejected this notion in the BellSouth GA/LA Order. The paragraph of the Texas 271 Order to which AT&T cites does not provide any guidance regarding how products available in SATE relate to the mirroring standard. Instead, the Texas 271 Order simply lists the availability of a stable testing environment that mirrors production as a factor the FCC analyzes as part of its change management evaluation. Thus, contrary to AT&T's disingenuous suggestion, the Texas 271 Order does not support the proposition for which AT&T cited it.

AT&T's Comments also included a puzzling attack regarding the sufficiency of Qwest's Change Management Process ("CMP") as a method to add products to SATE. AT&T was one of the most active CLECs in designing the very process it now attacks as untimely and unreasonable. Contrary to AT&T's shortsighted criticism of the process it helped design, that process was specifically designed to address changes to SATE pursuant to an agreed process on an agreed timeframe.

⁴ *In the Matter of Application by SBC Communications Inc., Southwestern Bell Telephone Company and Southwestern Bell Communications Services, Inc. d/b/a Southwestern Bell Long Distance Pursuant to Section 271 of the Telecommunications Act of 1996 To Provide In-Region, InterLATA Services In Texas*, CC Docket No. 00-65, Memorandum Opinion and Order, FCC 00-238 (rel. June 30, 2000) ("Texas 271 Order"). ¶ 138.

⁵ AT&T's Comments at p. 7 (emphasis added).

Finally, AT&T claims that Qwest has rejected the notion that its interoperability environment will support future testing by CLECs. This claim has no merit.

AT&T excerpted certain statements from Qwest's responses to KPMG exceptions in the ROC OSS test to support its claim. These statements were taken out of the context of Qwest's responses.

In its responses to Exception 3029, Qwest stated that it had no plans to continue to enhance the interoperability environment, but would enhance SATE. Qwest also stated that it would make the interoperability environment available until "this option no longer makes sense to Qwest and the CLECs." AT&T claims that these statements mean that "Qwest has expressed its reservations about maintaining both the Interoperability Environment and the SATE," the interoperability environment will be available only for "an uncertain period of time," and Qwest "may choose to eliminate the option to use Interoperability in the near future."⁶ These claims are baseless.

A review of these responses and KPMG's disposition report for Exception 3029 clearly reflects that these statements were made in the context of Qwest's explanation that, taken together, Qwest's interoperability environment and SATE addressed each of KPMG's test environment concerns. As part of that explanation, Qwest clarified that, to the extent additional testing functionality is deployed in Qwest's testing environment, it intended to deploy that additional functionality in SATE, rather than the interoperability environment. Qwest did not in any way imply that it had any reservations about continuing to support the interoperability environment. Indeed, the documentation publicly available on Qwest's web site -- the same documentation KPMG reviewed in determining that Qwest met the concerns raised in Exception

⁶ AT&T's Comments at 8.

3029 -- clearly indicates that Qwest will continue to update the interoperability environment so that it reflects the current IMA release.⁷ In fact, the interoperability environment employs a copy of the current production environment. Thus, contrary to AT&T's suggestion, Qwest's response to Exception 3029 actually affirms its commitment to maintain the interoperability environment for continued CLEC use as part of Qwest's testing environment.

Finally, there is no merit to AT&T's suggestion that Qwest could unilaterally eliminate the interoperability environment as an option for CLECs. The testing environment is subject to Qwest's CMP. The CLECs and Qwest have agreed to a process for retirement of interfaces -- including a required 270 calendar day notification, as well as a comment period -- that applies to the testing environment. Thus, Qwest cannot simply eliminate the interoperability environment at its whim.

IV. Conclusion

As set forth above, some of AT&T's Comments are based on misunderstandings and mischaracterizations. For the reasons discussed above, Qwest believes those Comments should be rejected.

⁷ For example, Qwest's EDI Implementation Guidelines state that "[e]ach new release is scheduled to be available in the Interoperability and SATE environment thirty (30) days prior to its implementation in the production environment." Qwest's EDI Implementation Guidelines -- for Interconnect Mediated Access (IMA) Version 10.0, dated May 3, 2002, at p. 52. The EDI Implementation Guidelines are posted on Qwest's web site at the following URL: <http://www.qwest.com/wholesale/ima/edi/document.html>